

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CARMEN LARSON,

Plaintiff,

Civil No. 05-1769-ST

v.

ORDER

TILLAMOOK YOUTH AUTHORITY
ACCOUNTABILITY CAMP; STATE OF
OREGON; and ANDY WYATT, TERRY
YOUNKIN, DAVE LINDSTROM, and
BRIAN FLORIPS, each individually
and in their official capacities,

Defendants

MARSH, Judge.

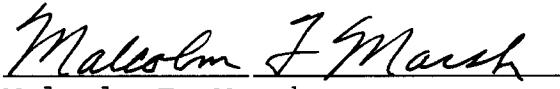
Magistrate Judge Janice M. Stewart filed her Findings and Recommendation on January 6, 2006. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my

obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation #13. Defendants' Partial Motion (#2) to Dismiss is GRANTED to the extent that the IIED claim (presently numbered as the "Tenth Claim for Relief") is DISMISSED without prejudice and DENIED AS MOOT in all other respects.

IT IS SO ORDERED.

DATED this 6 day of February, 2006.


Malcolm F. Marsh
United States District Judge